



General Assembly

January Session, 2015

***Raised Bill No. 6909***

LCO No. 4250



Referred to Committee on HUMAN SERVICES

Introduced by:  
(HS)

***AN ACT ESTABLISHING THE CONNECTICUT TRAUMATIC BRAIN INJURY ADVISORY BOARD.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective July 1, 2015*) (a) As used in this section,  
2       "traumatic brain injury" or "TBI" means damage to the brain tissue and  
3       any combination of focal and diffuse central nervous system  
4       dysfunction, both immediate or delayed, at the brain stem level and  
5       above, sustained through external forces including, but not limited to,  
6       blows to the head, falls, vehicular crashes, assaults, sports accidents,  
7       intrauterine and birth injuries and violent movement of the body.  
8       There is established a Connecticut Traumatic Brain Injury Advisory  
9       Board to address the needs of persons with traumatic brain injuries.

10       (b) The board shall make recommendations for the implementation  
11       of a state-wide plan to address the needs of persons with traumatic  
12       brain injury, including, but not limited to: (1) Increasing efforts for  
13       prevention of and community education about TBI, (2) increasing  
14       provider capacity and provider competency, skills and knowledge, (3)  
15       improving the coordination of services, (4) opening a dialogue with

16 private community-based agencies to develop services for persons  
17 with TBI, (5) assessing and identifying methods to expand programs  
18 and services for persons with TBI, (6) making recommendations to  
19 address the needs of persons with TBI not covered by existing services,  
20 and (7) establishing a comprehensive TBI tracking system to collect  
21 data on incidence, patient demographics, nature of injury, cause of  
22 injury, injury locale, details on severity of injury and outcomes.

23 (c) The board shall consist of the following members:

24 (1) Three appointed by the speaker of the House of Representatives,  
25 who shall be TBI survivors;

26 (2) Three appointed by the president pro tempore of the Senate,  
27 who shall be relatives of TBI survivors;

28 (3) Three appointed by the majority leader of the House of  
29 Representatives, two of whom shall be representatives of private  
30 provider agencies currently providing support for persons with TBI  
31 and one of whom shall be a representative of the Brain Injury Alliance  
32 of Connecticut;

33 (4) Three appointed by the majority leader of the Senate, two of  
34 whom shall be representatives from the medical community, such as a  
35 pediatrician, a neurologist, a physiatrist or a neuropsychologist, with  
36 experience working with persons with TBI, and one of whom shall be a  
37 representative from the educational community, such as a school  
38 nurse, a school guidance counselor, an educator or a representative  
39 from special education;

40 (5) One appointed by the minority leader of the House of  
41 Representatives, who shall be a representative of a federally  
42 recognized tribe located in Connecticut;

43 (6) One appointed by the minority leader of the Senate, who shall be  
44 a licensed professional, such as a clinical social worker, rehabilitation

45 specialist, speech pathologist, vocational rehabilitation counselor,  
46 occupational therapist or physical therapist, with experience working  
47 with persons with TBI;

48 (7) Two representatives of the Department of Public Health,  
49 appointed by the Governor;

50 (8) One representative each from the Department of Developmental  
51 Services, Department of Children and Families, Department of Mental  
52 Health and Addiction Services, Department of Corrections,  
53 Department of Education, Office of Protection and Advocacy for  
54 Persons with Disabilities, Department of Social Services, Department  
55 of Rehabilitation Services, Department of Veterans' Affairs, and the  
56 Department of Labor, appointed by the Governor.

57 (d) All appointments to the board shall be made not later than thirty  
58 days after the effective date of this section. Any vacancy shall be filled  
59 by the appointing authority. Members of the board shall serve without  
60 compensation for terms as set forth in the bylaws adopted pursuant to  
61 subsection (e) of this section.

62 (e) The speaker of the House of Representatives and the president  
63 pro tempore of the Senate shall select the chairpersons and secretary of  
64 the board from among the members of the board. Such chairpersons  
65 shall schedule the first meeting of the board, which shall be held not  
66 later than sixty days after the effective date of this section. The  
67 chairpersons and secretary shall conduct the affairs of the board and  
68 draft bylaws to be approved by the board. A majority of the board may  
69 amend the bylaws or recommend to the appointing authority removal  
70 of a board member for cause. For purposes of this subsection, "cause"  
71 means gross dereliction of duty, excessive absenteeism or undisclosed  
72 conflicts of interest involving paid providers of services.

73 (f) The Department of Public Health shall provide administrative  
74 support to the board, including, but not limited to, providing meeting  
75 space, a place to house records and space on the department's Internet

76 web site dedicated to the board.

77 (g) There shall be Memoranda of Understanding between the board,  
78 the Department of Public Health and other state or private entities to  
79 share information and resources deemed reasonably necessary in order  
80 to accomplish the goals of the board subject to the provisions of  
81 subsection (i) of this section.

82 (h) Not later than the end of each fiscal year on June thirtieth, the  
83 board shall report, in accordance with the provisions of section 11-4a  
84 of the general statutes, to the Governor and the joint standing  
85 committees of the General Assembly having cognizance of matters  
86 relating to human services and public health. The annual report shall  
87 include, but not be limited to: (1) The incidence and geographical  
88 distribution of such incidences of TBI in Connecticut, (2) demographic  
89 data concerning persons with TBI, (3) a review of the use of public-  
90 private partnerships to serve persons with TBI, (4) assessment of  
91 current services from both public and private providers, and (5)  
92 identification of gaps or deficits in programs and services for persons  
93 with TBI.

94 (i) The board's transmission, storage and dissemination of data and  
95 records related to persons with TBI shall be in accordance with federal  
96 and state law and regulations concerning the privacy, security,  
97 confidentiality and safeguarding of individually identifiable  
98 information, including, but not limited to, the provisions of section  
99 19a-25f of the general statutes concerning electronic health information  
100 and the Health Insurance Portability and Accountability Act of 1996  
101 (P.L. 104-191) (HIPAA), as amended from time to time, and the Family  
102 Educational Rights and Privacy Act of 1974, 20 USC 1232g, (FERPA),  
103 as amended from time to time, and any regulations promulgated  
104 thereunder.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>July 1, 2015</i>	New section
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***Statement of Purpose:***

To establish an advisory board to make recommendations concerning a state-wide plan to address the needs of persons with traumatic brain injuries.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*